

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ROBERT ALDRICH, )  
Plaintiff )  
 )  
v. )  
 )  
JUDGE WILLIAM G. YOUNG, ) C.A. No. 13-10466-DPW  
Defendant. )

ORDER  
August 7, 2013

WOODLOCK, D.J.

On July 18, 2013, I issued a Memorandum and Order (Docket No. 25) directing dismissal of this action for the reasons stated therein. Included in the Memorandum and Order was a Certification that any appeal by Aldrich would not be taken in good faith.

On July 31, 2013, plaintiff Robert Aldrich filed a Notice of Appeal, along with a Motion for Leave to Proceed *in forma pauperis* (Docket No. 28), and a Motion to Appoint Appellate Counsel (Docket No. 29).<sup>1</sup>

Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Docket No. 28) is DENIED for the reasons set forth in the Memorandum and Order (Docket No. 25). Although plaintiff has been permitted to proceed *in forma pauperis* in other cases filed in this Court and in the United States Court of Appeals for the

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<sup>1</sup>Since this action had been removed from state court, no inquiry into plaintiff's indigency had been made in this case.

First Circuit ("First Circuit"), this denial is based on my conclusion that any appeal of the dismissal of this action would not be taken in good faith. See Fed. R. App. P. 24(a)(3)(A).

With respect to the Motion to Appoint Appellate Counsel (Docket No. 29), I lack authority to appoint appellate counsel, and therefore plaintiff's motion is DENIED without prejudice to renewing the motion in the First Circuit.

The clerk shall transmit a copy of this Order to the First Circuit Clerk's Office forthwith.

SO ORDERED.

/s/ Douglas P. Woodlock  
DOUGLAS P. WOODLOCK  
UNITED STATES DISTRICT JUDGE